

CENTRAL INTELLIGENCE AGENCY

AND

INTELLIGENCE COMMUNITY

PROPOSED LEGISLATIVE PROGRAM FOR THE SECOND SESSION
OF THE 97th CONGRESS

PART I -- PRESIDENT'S PROGRAM PROPOSALS

97/2 - 1: Enhancement of Intelligence Capabilities
Legislation

This proposal encompasses two legislative initiatives designed to safeguard intelligence sources and methods.

A. Freedom of Information Legislation

After extensive study the Administration has concluded that only a total exclusion of our key intelligence agencies from the Freedom of Information Act can end the wasteful and debilitating diversion of intelligence resources and critically needed skills into FOIA matters, eliminate the danger of court-ordered release of properly classified information, and maintain the confidence of human sources and foreign intelligence services. Prompt consideration and passage by the 97th Congress of this measure to provide effective relief from the resource, operational, and security problems currently besetting the Intelligence Community under the FOIA is urgently required. The Director of Central Intelligence intends to vigorously pursue enactment of this legislation.

B. Protection of Intelligence Information

The Director of Central Intelligence plans to propose legislation to facilitate investigations by appropriate Executive Branch entities of unauthorized disclosures of intelligence information. This legislation would also provide administrative sanctions for unauthorized disclosures.

97/2 - 2: National Security Preservation Legislation

The Director of Central Intelligence may recommend that the Administration pursue a three-part legislative initiative under the general title of the "American Technological Leadership Protection Act."

A. National Security Industries Preservation Act

This proposal would be designed to prevent foreign control of crucial national security sectors of the economy through screening of foreign investment in such sectors.

B. Defense Technology Export Review Act

This proposal would be designed to ensure maximum coordination and effectiveness of efforts to control export-related technology transfer.

C. International Exchange Oversight Act

This proposal would be designed to reduce the danger of unintended export of national security-related scientific or technical expertise in connection with academic and other exchange programs.

97/2 - 3: Intelligence Tradecraft Transfer Restriction Act

The Director of Central Intelligence may propose legislation to provide specific civil and criminal penalties for the unauthorized transfer of classified information, intelligence tradecraft, or paramilitary techniques by individuals who have acquired such information or know-how in the course of an employment or contractual relationship with the United States.

PART II -- OTHER PROPOSALS

97/2 - 4: Fiscal Year 1983 Intelligence Authorization Act

The Director of Central Intelligence will submit to the Office of Management and Budget a proposed Fiscal Year 1983 Intelligence Authorization Bill for transmittal to the Congress.

97/2 - 5: Intelligence Personnel Protection Act

This proposal to provide federal criminal jurisdiction over threats or actual acts of violence against officers or employees of the Intelligence Community,

persons admitted for permanent residence in the United States because of their contribution to our nation's intelligence efforts, and persons present in the United States under intelligence auspices was passed by the Senate as part of the Fiscal Year 1982 Intelligence Authorization Act, but it did not appear certain to be retained in Conference. The Director of Central Intelligence intends to pursue this proposal as separate legislation if it is not enacted during the 1st session.

97/2 - 6: Amendments to the Foreign Intelligence Surveillance Act

Significant inadequacies in the Foreign Intelligence Surveillance Act of 1978 (FISA), not foreseen at the time FISA was enacted, have become apparent. Amendments to remedy these deficiencies have been approved within the Executive Branch and discussed with the House and Senate Intelligence Committees. The Director of Central Intelligence intends to pursue these amendments during the second session of the 97th Congress.

97/2 - 7: Amendment to the Right to Financial Privacy Act

The Director of Central Intelligence intends to support an amendment to be proposed by the Federal Bureau of Investigation which will be designed to facilitate compliance with Section 1114 of the Act, authorizing disclosure of financial records to government entities engaged in foreign intelligence or counterintelligence activities.

97/2 - 8: Amendment to the Tax Reform Act of 1976

The Director of Central Intelligence intends to support an amendment to be proposed by the Federal Bureau of Investigation which will be designed to facilitate disclosure of tax information held by the Internal Revenue Service for use in foreign intelligence or counterintelligence investigations.

97/2 - 9: Legislation to Prevent the Unauthorized Use of the DIA Name, Initials, or Seal

The Director of Central Intelligence will support legislation to extend to the Defense Intelligence Agency the protection afforded to the CIA and NSA names, initials, and seals in the Fiscal Year 1982 Intelligence Authorization Act. This legislation would protect against unauthorized use of the DIA

name, initial, or seal in connection with any merchandise, impersonation, solicitation or commercial activity in a manner reasonably calculated to convey the impression that such use is approved, endorsed, or authorized by the Agency.

97/2 - 10: Enhanced Personnel Management Authorities for the Defense Intelligence Agency

The Director of Central Intelligence will support legislation to afford DIA increased flexibility in the management of its personnel system.

97/2 - 11: Legislation to Improve Overseas Living and Working Conditions for Personnel in the Defense Attache System

The Director of Central Intelligence will support legislation to enhance the ability of the Defense Intelligence Agency to provide more equitable benefits and allowances for personnel in the Defense Attache System.

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As Requested	For Correction	Prepare Reply	
Circulate	For Your Information	See Me	
Comment	Investigate	Signature	
Coordination	Justify		
REMARKS			
<p><i>Bob - it seems inappropriate to me to propose that Congress enact laws to resolve a dispute within the Executive Branch. Don't know how much of a problem the lack of delegation really is! Other than that - I have no comments on the proposal itself.</i></p>			
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